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Attorneys for Respondents,
Masimo Corporation and Cercacor Laboratories, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

OWLET BABY CARE, INC.,

Petitioner,

vs.

MASIMO CORPORATION and CERCACOR
LABORATORIES, INC.,

Respondents.

Case No. 2:21-mc-00096-TS (JCB)

**REQUEST TO SUBMIT
MOTION TO REOPEN CASE
AND RECONSIDER ORDER
DENYING OWLETS MOTION TO
QUASH WITHOUT PREJUDICE [Dkt.
No. 6]**

Judge Ted Stewart
Magistrate Judge Jared C. Bennett

Pursuant to DUCivR 7-3, Respondents Masimo Corporation and Cercacor Laboratories, Inc. (collectively, “Respondents”), by and through undersigned counsel, hereby respectfully request that Petitioner Owlet Baby Care, Inc.’s (“Owlet”) Motion to Reopen Case and Reconsider Order Denying Owlet’s Motion to Quash Without Prejudice (the “Motion to Reopen” (Dkt. No. 6)) be submitted for decision by the Court. The following documents have been filed with the Court in connection with the Motion to Reopen:

1. Owlet’s Motion to Reopen, filed and served on February 22, 2021 (Dkt. No. 6);
2. Respondents’ Opposition to the Motion to Reopen, filed and served March 12, 2021 (Dkt No. 14); and
3. Owlet’s reply in support of the Motion to Reopen, filed and served on March, 26, 2021 (Dkt No. 18).

In view of the foregoing, Respondents respectfully submit that the Motion to Reopen is fully briefed and ready for decision by the Court. A hearing has not been requested by either party.

DATED this 23rd day of April, 2021,

Respectfully Submitted,

KIRTON McCONKIE

By: /s/ Joshua S. Rupp

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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of April 2021, I caused a true and correct copy of the foregoing to be served on all counsel of record via the Court's CM/ECF.

/s/ Sherry Glendening_____